

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEPHANIE GARGIULO, et al.,

Plaintiffs,

- against -

CLIENT SERVICES, INC., et al.,

Defendants.

**REPORT AND
RECOMMENDATION**

CV 04-5410 (TCP) (JO)

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JAMES ORENSTEIN, Magistrate Judge:

On August 5, 2005, plaintiffs filed a motion for attorneys' fees. Docket Entry ("DE") 20.

By letter dated September 13, 2005, defendants advised that the attorneys' fees issue is settled.

DE 22. I therefore recommend that the pending motion for attorneys' fees be denied as moot.

This Report and Recommendation is being filed on the Court's ECF system. Any objections to this Report and Recommendation must be filed with the Clerk of the Court with a courtesy copy to me within 10 days of such filing. Failure to file objections within this period waives the right to appeal the District Court's Order. *See* 28 U.S.C. §636 (b)(1); Fed. R. Civ. P. 72; *Beverly v. Walker*, 118 F.3d 900, (2d Cir. 1997); *Savoie v. Merchants Bank*, 84 F.2d 52, 60 (2d Cir. 1996).

SO ORDERED.

Dated: Central Islip, New York
September 14, 2005

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge